(c) by when the draft to the Eighth Plan is expected to be finalised?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) to (c) The exercises relating to the fomulation of the Eighth Five Year Plan document are underway. The document will be laid on the Table of the House after it is considered and endorsed by the National Development Council.

Hunger strike by foreign undertrials in Tihar Jail

639. SHRI VIREN J. SHAH: Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to the news-item published in the Indian Express dated October 18, 1990 to the effect that 114 foreign undertrials went on a hunger strike, citing delay in their trials as the major problem; and

(b) what are the facts in this regard and what action Government propose to take in the matter regarding the grievances of foreign undertrials?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI SUBODH KANT SAHAY): (a) A news-item appeared in the Indian Express on 18-10-1990 relating to hunger strike by foreign undertrials in Tihar Central Jail.

(b) Some foreign undertrials went on hunger-strike from 15th October, 1990 Their main demands were:—

(i) expeditious trials;

(ii) grant of bail;

(iii) better medical and recreational facilities; and

(iv) separate cooking facilities.

The District and Sessions Judge has impressed upon the Criminal Courts to decide casses of the undertrials expeditiously. The grant or refusal of bail is purely in the judicial discretion of the Courts. There is an OPD Dispensary and a 60-Bedded hospital with X-ray facilities and Pathology laboratory in the Jail to cater to the sick prisoners. Various indoor and outdoor games as also newspapers and magazines are provided to the prisoners. Separate cooking facilities are being provided to the foreign undertrials.

Pension to widows of Central Government employees

640. PROF. SOURENDRA BHATTACHARJEE: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that the widows of the Central Government employees who were either dismissed or terminated from services, after rendering qualified service period for the purpose of pensionary benefits are not being given the family pension;

(b) whether it is not *ultra vires* of the Constitution; and

(c) whether any further action is being contemplated to modify the rules of pension?

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRI KAMAL MORARKA): (a) Family pension to the family of a deceased Central Government servant is admissible in cases where the Government employee dies while in service. In such a case the family pension is not related to the length of service of the deceased employee. However, in the case of a retired employee, family pension is granted to the family on the death of the retired employee provided he had put in the necessary qualifying service for earning pension. Dismissal or removal from service of an employee entails forefeiture of service, disqualifying him for any pension. The families of such dismissed/removed employees are, therefore, not eligible for any family pension. However, where a dismissed/removed Government servant has been granted a compassionate allowance under the Rules, the family of such person is entitled for family pension.

(b) and (c) The above provisions have stood the test of time and no further action in this regard is contemplated.